

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case Number 19-20652

Honorable David M. Lawson

JAMES LETKO,

Defendant.

**ORDER ADJOURNING DEADLINE FOR PRODUCTION OF MATERIALS
RESPONSIVE TO DEFENDANT’S RULE 17(C) SUBPOENA**

On August 10, 2021, the Court granted the defendant’s renewed motion for issuance of subpoenas under Federal Rule of Criminal Procedure 17(c) to obtain documents in support of his reasonable doubt defense that he intends to assert at trial. After non-party respondent OptumRx failed to appear and produce materials responsive to the defendant’s subpoena, the defendant filed a motion for an order directing the respondent to show cause why it should not be held in contempt. The parties now have informed the Court that the failure to appear was due to a delay of service on the respondent. After the respondent properly was served on September 8, 2021, counsel for defendant Letko and the respondent have engaged actively in negotiating the logistics of the anticipated production. On October 4, 2021, the defendant and the respondent filed a stipulation stating their mutual request for an adjournment of the date and time for the production of materials responsive to the subpoena. The Court has considered the parties’ request to adjust the deadline for production and finds that it should be granted.

Accordingly, pursuant to the stipulation by the defendant and non-party respondent OptumRx (ECF No. 163), it is **ORDERED** that the respondent must produce the documents

described in the defendant's subpoena in person or through counsel's personal appearance at the chambers of this Court **on November 2, 2021 at 11:30 a.m.**

It is further **ORDERED** that the defendant's motion for an order to show cause (ECF No. 157) is **DISMISSED** without prejudice.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: October 4, 2021